

Appl. No. **09/934,549**  
Amdt. dated 01/23/2009  
Response to Office Action of 11/26/2008

Attorney Docket No.: TS01-285  
N1085-90132

### **REMARKS/ARGUMENTS**

Claims 1-11 were previously pending in this application with claims 4-8 having been withdrawn from consideration. Each of pending claims 1-3 and 9-11 has been rejected.

Claims 1 and 2 are amended in this paper. Applicant respectfully submits that each of pending claims 1-3 and 9-11 is in allowable form.

#### **I. Claim Rejections – 35 U.S.C. § 112**

In paragraph 3 of the subject Office action, claim 2 was rejected under 35 U.S.C. § 112 as being indefinite.

Claim 2 has been amended according to the Examiner's suggestion and consistent with the Examiner's interpretation for the purposes of examination. Claim 2 now complies with the requirements of 35 U.S.C. § 112. Applicant respectfully submits this claim amendment should be entered because amended claim 2 merely recites features consistent with the Examiner's previous stated interpretation thereof.

The rejection of claim 2 should therefore be withdrawn.

#### **II. Amendments to Claim 1**

Claim 1 has been amended for editorial purposes only. No new matter has been added. No features have been added and the scope of the claim remains the same and, as such, the amendment to claim 1 should be entered.

#### **III. Claim Rejections – 35 U.S.C. § 103**

In paragraph 6 of the subject Office action, claims 1, 3, 9, and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over USP 6,524,057 to Park in view of USP 6,454,512 to Weiss, USP 5,749,589 to Hopkins et al., Germany 3917874 to Seibert, USP 4,293,075 to Veralrud, USP 6,421,113 to Armentrout, and

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USP 5,873,585 to **Engelking**. Moreover, in paragraph 7 of the subject Office action, claims 2 and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over **Park**, as modified, and further in view of USP 4,999,671 to **Iizuka**. Applicant respectfully submits that each of these claim rejections is overcome for reasons set forth below.

Applicant also thanks the Examiner for the commentary provided in the **Response to Arguments** section, in particular paragraphs 8-16, of the subject Office action.

The following remarks address both the stated rejections and the Examiner's comments with respect to Applicant's previously submitted comments as appear in the **Remarks to Arguments** section.

As a first matter, Applicant again respectfully submits that the Examiner has impermissibly relied upon hindsight to arrive at the determination of obviousness based upon a multitude of references, picking one or more features from each reference and using Applicant's claimed invention as a "laundry list" upon which to search for features, reconfiguring where necessary, without satisfactorily providing evidence as to why one of ordinary skill would combine and modify the references. For these reasons, and as stated in further detail in Applicant's previously filed response, Applicant respectfully submits that the Examiner has not established a *prima facie* case of obviousness.

Applicant points out that independent claim 1 recites that the "platform" is substantially planar. In particular, claim 1 recites:

- (ii) a platform being substantially planar and having a first surface and a second surface opposite said first surface, said wheels being attached to said first surface of said platform;
- (iii) shock absorbers, being mounted on the second surface of said platform;

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(b) an upper portion disposed over said shock absorbers, said shock absorbers forming an interface between said platform and said upper portion,

The Examiner has conceded that the Park reference is deficient of many of the aspects of the claimed invention recited in claim 1. For example, on page 4, lines 15-16, the Examiner concedes that Park fails to disclose shock absorbers.

The Examiner does contend, however, that "Park discloses a component transport cart comprising, such as shown in Fig. 4, a lower portion comprising wheels 105, a platform 110 being substantially planar and having a first and second surface opposite said first surface (with the second surface being defined as the surface having a control knob 190 rested thereon)", subject Office action, page 3, last four lines. A review of Park, in particular Fig. 4, clearly shows that conductive body 110 is a box-like member, i.e. a three dimensional feature and not a substantially planar member, as claimed in claim 1. Inside conductive body 110 are a plurality of components that, among other things, provide motion to support 120, enabling support 120 to move up and down. The body 110 has an opening 115 on a top portion thereof which is configured to receive hexagonally-shaped support 120. Conductive body 110 is clearly a three dimensional feature.

In sharp contrast, planar is defined, in Webster's II New College Dictionary, Houghton Mifflin Company, 1995 (copy attached) as: **planar** 1. of, pertaining to or located in a plane. 2. flat. 3. having a two-dimensional characteristic". It is intuitive that body 110 of Park is neither "planar" nor "substantially planar". Moreover, the two surfaces referred to by the Examiner – the bottom surface of body 110 to which wheels 105 are connected and the top surface "deemed defined as the surface having a control knob 190 rested thereon", are clearly not opposed first and second surfaces of a substantially planar platform.

Park therefore does not teach the claimed feature of a substantially planar platform having wheels attached to one surface and, attached to the other surface, a

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shock absorber that forms an interface between the platform and an upper portion. Claim 1 is therefore distinguished from Park.

The Office Action then relies upon the Weiss reference and provides "Weiss teaches the idea of having shock absorbers 32 being mounted on the second surface of a platform in order to prevent damage to the wafers due to jolting of the cart during transporting of the wafers", page 5, lines 1-3. Weiss, however, provides shock absorbers 32 that are disposed above a bar, but Weiss's shock absorbers 32 do not form an interface between anything, much less between a platform and an upper portion of a cart. The upper portion of the cart is coupled *below* the shock absorbers 32 as shown in FIGS. 5, 6 and 7 of Weiss and nothing appears to be disposed above shock absorbers 32 such as would enable shock absorbers 32 to serve as an interface between a subjacent and superjacent feature. Weiss therefore does not provide the claimed shock absorbers and does not make up for this admitted deficiency of Park.

None of the other references teach the claimed shock absorber feature. In particular, none of the references teach a planar platform having wheels attached to one surface thereof and shock absorbers attached to the opposed surface of the planar platform, the shock absorbers forming an interface between the planar platform and an upper portion. Claim 1 is distinguished from the references of record, taken alone or in combination.

In response to the Examiner's comments in paragraph 15 of the **Response to Arguments** section, Applicant respectfully submits that the Examiner's comments are not on point because the three dimensional box – body 110 – alleged by the Examiner to be a "substantially planar platform 110", is not a substantially planar platform. Therefore, Park cannot provide the claimed features of the wheels being attached to one surface of the substantially planar platform and shock absorbers attached to an opposite surface of a substantially planar platform. Since body 110 includes therein many components including moving parts that provide vertical movement, body 110 could not be modified to be a planar platform and the modification of Park to include the

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claim feature vis-à-vis the platform, wheels, shock absorber and top portion, could not be effectuated with re-engineering Park's device. A *prima facie* case of obviousness is not established when the Examiner's suggestion would require a complete re-engineering of the device or when the device can no longer be used in its intended function. If the body 110 were re-engineered to be a flat, planar platform in order to satisfy the claimed configuration of the shock absorbers with respect to the wheels and the top portion, the body 110 could no longer accommodate the internal motor mechanisms and could not provide motion to support 120.

In view of the above comments, independent claim 1 is therefore distinguished from Park in view of Weiss, Hopkins, Seibert (Germany), Veralrud, Armentrout and Engelking and therefore the rejection of claim 1 under 35 U.S.C. § 103(a) in view of these references, should be withdrawn. Claims 2-3 and 9-11 depend from claim 1 and are therefore similarly distinguished. Therefore, the rejection of claims 1, 3 and 9-10 under 35 U.S.C. § 103(a) as being unpatentable over Park in view of Weiss, Hopkins, Seibert (Germany), Veralrud, Armentrout and Engelking, should be withdrawn.

In paragraph 7 of the subject Office action, claims 2 and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Park as modified and further in view of USP 4,999,671 to Iizuka. These claim rejections are overcome for reasons set forth below.

As above, independent claim 1 is distinguished from Park as modified. Claims 2 and 11, which depend from claim 1, are similarly distinguished from Park as modified. The Iizuka reference has apparently been relied upon for providing reticle boxes with reticles therein, but Iizuka does not make up for the above-stated deficiencies of Park in view of the secondary references. Because Iizuka does not make up for the above-stated deficiencies of Park in view of the secondary references, independent claim 1 and therefore also dependent claims 2 and 11 are distinguished from Park, as modified and as applied to claim 1, and further in view of Iizuka. The rejection of claims 2 and 11

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as being unpatentable over Park as applied to claim 1 and further in view of Iizuka,  
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### CONCLUSION

Based on the foregoing, each of pending claims 1-3 and 9-11 is in allowable form and the application in condition for allowance, which action is respectfully and expeditiously requested.

5 Furthermore, Applicant respectfully submits that the amendments to claims 1 and 2 are editorial in nature, require no further searching, pose no burden on the Examiner and should therefore be entered after final.

The Assistant Commissioner for Patents is hereby authorized to charge any fees necessary to give effect to this filing and to credit any excess payment that may be  
10 associated with this communication, to Deposit Account 04-1679.

Dated: January 23, 2009

  
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15  
20 Attachment: Print out of definition of planar, Webster's II New College Dictionary, Houghton Mifflin Company, 1995

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## Plain People • Planned Parenthood

**Plain People** *plān* *n.* Members of the Mennonite, Amish, or Dunker sects, noted for their custom of wearing plain dress.

**plain sailing** *n.* Easy progress over a straightforward course.

**Plains Indian** *n.* A member of any of the American Indian peoples inhabiting the Great Plains of the United States and Canada.

**plainsman** (*plānz'man*) *n.* An inhabitant or settler of U.S. prairie regions.

**plain-song** (*plān'sōng*, -sōng) *n.* [Transl. of Med. Lat. *cantus planus*] 1. Gregorian chant. 2. Any of various bodies of medieval liturgical music without strict meter and sung without accompaniment.

**plain-spoken** (*plān'spōkən*) *adj.* Straightforward; candid. *<* *plainspoken* commentator. — *plān'spōkən-ness* *n.*

**plaint** (*plān*) *n.* [ME *<* OFr. *plainte* < Lat. *planctus*, lament < p.p. of *plangere*, to beat one's breast.] 1. A complaint. 2. An utterance of sorrow or grief; LAMENTATION. 3. Law. A statement of grievance submitted to a court as a request for redress.

**plaint-tiff** (*plān'tif*) *n.* [ME *playntif* < OFr. *plaintif* < *plaintif*, plaintive.] Law. The party that institutes a suit in a court.

**plaintive** (*plān'tiv*) *adj.* [ME *playntif* < OFr. *plaintif* < *plaintif*, plaintive.] Expressing sorrow; MOURNFUL. — *plān'tiv-ly* *adv.*

**plain weave** *n.* A weave in which the filling threads and the warp threads interlace alternately, forming a checkerboard pattern.

**plait** (*plā*, *plāi*) *n.* [ME, *feld* < OFr. *plest* < Lat. *pllicare*, to fold.] 1. A braid, esp. of hair. 2. A plait. — *vt.* *plait-ed*, *plait-ing*, *plaits*. 1. To braid <plaited the child's long hair> 2. To plait. 3. To make by braiding or plaiting. — *plait'er* *n.*

**plan** (*plān*) *n.* [Fr. < *planter*, to plant < Lat. *plantare* < *planta*, sole of the foot.] 1. A detailed scheme, program, or method worked out beforehand for the accomplishment of an object. *<* a career plan. 2. A proposed or tentative project or purpose: *INTENTION* <made plans for the weekend> 3. An outline or sketch, as of a story. 4. a. A drawing or diagram made to scale showing structure or arrangement. *<* an architectural plan. b. Such a plan showing how to build or assemble something. 5. One of several imaginary planes perpendicular to the line of vision between the viewer and the object being depicted. — *v.* *planned*, *plan-ning*, *plans*. — *vt.* 1. To formulate a scheme or program for the accomplishment or attainment of. *<* plan an outreach program. 2. To have as a specific goal or purpose: *INTEND* <They plan to visit Disneyland> 3. To draw or make a graphic representation of. — *vi.* To make plans. — *plan'ner* *n.*

**plan-** *pref. var. of PLANO-*

**planar** (*plā'nār*, -nār) *adj.* [Lat. *planaris*, flat < Lat. *planus*] 1. Of, pertaining to, or located in a plane. 2. Flat. 3. Having a two-dimensional characteristic. — *plā'nār-i-ty* (*plā'nār-i-tē*) *n.*

**planar-ion** (*plā'nār-i-on*) *n.* [Lat. *Planaria*, genus name < Lat. *planarius*, on level ground < *planus*, flat.] A flatworm of the order Tricladida, with a broad, ciliated body and a three-lobed digestive cavity.

**plan-a-tion** (*plā-nā'shən*) *n.* [Lat. *planatio*, lateral mechanical erosion, as of a valley, by a running stream.]

**planchet** (*plān'chēt*) *n.* [Dim. of dial. *planch*, board < ME *planchche* < OFr. *planch* < Lat. *planica*.] 1. A flat disk of metal ready for stamping as a coin. 2. A small disk of metal on which a radioactive substance is deposited for measurement of its activity.

**planchette** (*plān-shēt*) *n.* [Fr., dim. of OFr. *plancha*, board. — see *PLANCHER*.] A small triangular board with a pointer supported by two casters and a vertical pencil reputed to spell out messages from the spirit world when the operator's fingers are placed lightly upon it.

**Planck's constant** (*plāngk's*) *n.* [After Max K.E.L. Planck (1858–1947).] Physics. The constant of proportionality relating the quantum of energy that can be possessed by radiation to the frequency of that radiation; its value is approx.  $6.625 \times 10^{-27}$  erg-second.

**plane** (*plān*) *n.* [Lat. *planum*, flat surface < *planus*, flat.] 1. Math. A surface containing all the straight lines connecting any two points on it. 2. A level or flat surface. 3. A stage or level of existence, development, or achievement. *<* lectures on a spiritual plane. 4. An airplane or hydroplane. 5. A supporting surface of an airplane, as an airfoil or wing. — *adj.* 1. Math. Designating a figure lying in a plane. 2. Flat. — *plane'ness* *n.*

**plane** (*plān*) *n.* [ME < OFr. < Lat. *plana* < *planum*, to plane < *planus*, flat.] 1. A carpenter's tool with an adjustable blade for leveling and smoothing wood. 2. A crowl-shaped tool for smoothing the surface of clay, sand, or plaster in a mold. — *v.* *planed*, *plan-ing*, *planes*. — *vt.* 1. To smooth with or as if with a plane. 2. To remove with a plane. — *vi.* 1. To undergo planing. 2. To act as a plane.

**plane** (*plān*) *vi.* *planed*, *plan-ing*, *planes*. [Fr. *planer*, to glide < *plan*, level surface < Lat. *planum* < *planus*, flat.] 1. To rise partly out of the water, as a hydroplane does at high speeds. 2. To soar or glide. 3. To travel by airplane.

**plane** (*plān*) *n.* [ME < OFr. < Lat. *planatus* < Gk. *planatos* < *planus*, broad.] The plane tree.

**plane angle** *n.* An angle formed by two straight lines.

**plane geometry** *n.* The geometry of plane figures.

**plane-load** (*plān'lōd*) *n.* The load an airplane can carry.

**plan-er** (*plā'nār*) *n.* 1. One that planes. 2. A machine tool for leveling and smoothing the surfaces of wood or metal. 3. A smooth block of wood used to level a form of type.

**plan-er tree** (*plā'nār*) *n.* [After J.J. Planer (1743–1789).] A swamp tree, *Planera aquatica* of the southern United States, small, rough, nutlike fruit.

**plane-side** (*plān'sid*) *n.* The area next to an airplane.

**plan-et** (*plān'it*) *n.* [ME < OFr. *planète* < Llat. *planeta*, wanderer < *planaschai*, to wander.] 1. A nonluminous body illuminated by light from a star, as the sun, around which

revolves. 2. One of the seven celestial bodies visible to the naked eye and thought to revolve in the heavens about a fixed Earth in fixed stars in ancient astronomy. 3. One of the seven revolutionary bodies that in conjunction with the stars are supposed to influence human personalities and concerns.

**plane table** *n.* A portable surveying instrument consisting of a drawing board and a ruler mounted on a tripod and used to map topographical details.

**plan-e-tar-i-um** (*plān'tār'ē-əm*) *n.* *pl.-i-tums* or *-ia*. An apparatus or model representing the solar system. 2. A projecting images of celestial bodies in their courses across the surface of a hemispherical dome. 3. A building or room used as a planetarium.

**plan-e-tar-y** (*plān'tār'ē*) *adj.* 1. Of, relating to, or like a planet or orbital characteristics of a planet or the planets. 2. a. Global; b. Terrestrial; c. mundane. 3. Erratic; wandering. 4. Of or relating to a gear train consisting of a central gear with

ring gear and one or more pinions. 5. Of enormous size or

**planetary nebula** *n.* Any of several objects in the Galaxy, a hot, blue-white, central star surrounded by an envelope of

gas.

**plan-e-tes-i-mal** (*plān'tēs'ē-mal*, -tēs') *n.* [PLANET + *-esimal*.] One of innumerable small bodies held to have originated during the formation of the planets. — *plān'tēs'ē-mal*

**planetesimal hypothesis** *n.* The hypothesis that the planets and satellites of the solar system were formed by gravitational

aggregation of planetesimals.

**plan-e-to-id** (*plān'tō'id*) *n.* ASTEROID. 1. — *plān'tō'id*

**plane tree** *n.* A tree of the genus *Platanus*, with ball-shaped fruit and outer bark that usu. flakes off in patches.

**planet wheel** *n.* One of the small gear wheels in an epicyclic

**plan-gent** (*plān'jənt*) *adj.* [Lat. *plangens*, plangent, plangere, to strike.] 1. a. Striking with a deep, reverberating

waves against the shore. b. Loud and sorrowful, as the sound of a siren. — *plān'jənt-ly* *adv.*

**plan-** *pref. var. of PLANO-*

**plan-im-eter** (*plā-nim'ē-tər*) *n.* [Fr. *planimètre*, Lat. *planus*, flat + *metron*, meter < Gk. *metron*.] An instrument that measures the area of a plane figure by

mechanically coupled pointers traverses the figure's perimeter.

**plan-im-etric** (*plā-nim'ē-trik*) *adj.* *plā-nim'ē-tri-cal* *adj.*

**plan-ish** (*plān'ish*) *adj.* *ish-ed*, *ish-ing*, *ish-ies*. [Fr. *planish*, to make smooth < *plan*, level < Lat. *planus*.] To flatten, toughen, or polish (metal) by hammering or rolling.

**plan-i-sphere** (*plā'nī-sfēr*) *n.* [ME *planisphaer* < Mid. *planisphaerum*; Lat. *planus*, flat + *sphaera*, sphere < Gk. *sphaera*.] A representation of a sphere or part of a sphere on a plane.

**planisphere** (*plānī'sfēr*) *n.* [Fr. *planisphère*, Lat. *planus*, flat + *sphaera*, sphere < Gk. *sphaera*.] A polar projection of the celestial sphere on a disk with an adjustable overlay to show the stars visible at a given

place. — *plā'nī-sfēr'ic* (*-ētr'ik*, -ētr') *adj.* *plā'nī-sfēr'ic* *adj.*

**plank** (*plāngk*) *n.* [ME < ONFr. *planka* < Lat. *planca*.] 1. A

board or strip of lumber cut thicker than a board. 2. A wooden

platform. 3. One of the articles of a political platform. — *vt.*

**plank-ing**, *planks*. 1. To furnish or cover with planks. 2. To

or broil and serve (fish or meat) on a plank. 3. To put

emphatically or with force. 4. Informal. To pay in

*<*planked down \$100 for the tickets>

**plank-ing** (*plāng'king*) *n.* 1. The act of laying planks. 2.

whole. 3. Something made of planks.

**plank-sheer** (*plāngk'shēr*) *n.* [Alteration of obs. *plancher* < ME *plancher* < OFr. *planchier* < *planche*, plank < Lat. *planus*.] A horizontal timber forming the outer edge of the upper deck

of a ship.

**plank-ter** (*plāngk'tər*) *n.* [Gk. *planktēr*, wanderer < *plankein*, to wander. — see *PLANKTON*.] One of the minute organisms

loosely make up plankton.

**plank-ton** (*plāngk'tən*) *n.* [G. < Gk., neuter of *planktos*, to drift < *plankein*, to drive astray.] Generally microscopic plant

organisms that float or drift in great numbers in fresh

water. — *plāngk'ton'ic* (*-tōn'ik*) *adj.*

**Planned Parenthood** (*plānd*). A service mark for the organization that provides family planning services.

a par a pay ar care a father a pet a be hw  
i the i pier o pot o toc o paw, for o nate